

Aurora, Nebraska
June 22, 2010

A meeting of the Mayor and Council of the City of Aurora, Nebraska, whereas the council met as the Board of Equalization, was convened in open and public session at 7:00 p.m. on June 22, 2010 at the City Hall. Present were Councilors: Bruce Ramsour, Dottie Anderson, Chris Helzer, Dick Phillips and Paul Shaneyfelt. Mayor Marlin Seeman conducted the meeting. City Officials present were City Administrator Mike Bair, City Attorney Ross Luzum and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register five times as required and that in addition notices were mailed to all owners of property subject to assessment. Notice of meeting was simultaneously given to the Mayor and all members of the Council. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Mayor Seeman stated "AS PERSCRIBED BY LAW A COPY OF THE NEBRASKA OPEN MEETINGS ACT IS POSTED BY THE DOUBLE DOORS IN THE COUNCIL CHAMBERS."

Mayor Seeman reviewed the rules for the public hearing.

7:00 P.M. PUBLIC HEARING:

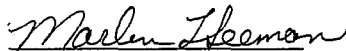
Mayor Seeman opened the duly advertised public hearing for the purpose of considering objections to and the adjustment and equalizing of the assessments for the construction of improvements in Northridge Subdivision which includes: Street Improvement District No. 181, Sanitary Sewer Improvement District No. 43, Water Improvement District 2009-1 in the City of Aurora, Nebraska.

The Mayor then asked if there were persons present who wished to be heard concerning the special assessments proposed to be levied in said Districts. The Mayor asked if there was anyone else who wished to address the Council. There was no one else present to speak in favor of or opposition to said special assessments. The Mayor asked the City Clerk if any written objections had been filed. The Clerk reported that no written objections had been filed.

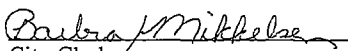
There being no other persons present wishing to be heard concerning the improvements and the proposed levy of special assessments within the Districts the Mayor closed the public hearing.

ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 7:06 p.m.


Mayor

ATTEST:


City Clerk



Aurora, Nebraska
June 22, 2010

A meeting of the Mayor and Council of the City of Aurora, Nebraska, was convened in open and public session at 7:30 p.m. on June 22, 2010 at the City Hall. Present were Councilors: Bruce Ramsour, Dottie Anderson, Chris Helzer, Dick Phillips and Paul Shaneyfelt. Mayor Marlin Seeman conducted the meeting. City Officials present were City Administrator Mike Bair, City Attorney Ross Luzum and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register on June 16, 2010. Notice of meeting was simultaneously given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to these minutes. Availability of the agenda of this meeting was communicated in the advance notice and in the notice to the Mayor and Council. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Mayor Seeman stated "AS PRESCRIBED BY LAW A COPY OF THE NEBRASKA OPEN MEETINGS ACT IS POSTED BY THE DOUBLE DOORS IN THE COUNCIL CHAMBERS."

MINUTES:

Councilor Phillips moved to approve the minutes from the June 8, 2010 meeting. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. Absent and not voting: Roblee. Absent and not voting: Roblee. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

Mayor Seeman stated the following: "The Aurora Development Corporation (ADC) and City of Aurora reached a settlement of the litigation with the engineering and contracting firms which were used for construction of the original Madison Avenue at the I 80 interchange. ADC and the City of Aurora were seeking compensation for claimed defects in the engineering and construction of that street. The terms of the settlement include a release by all parties of any claims against each other related to the matter, no determination of fault, some compensation to ADC and the City of Aurora, and a dismissal of the pending litigation. In accordance with a previous agreement between the City of Aurora and ADC, ADC will receive it's costs of litigation and the remainder of the funds will be paid to the City of Aurora. The City of Aurora has received a check from ADC in the amount of \$46,661.08."

REPORTS BY OFFICERS, BOARD, COMMITTEES:

Councilor Shaneyfelt moved to approve Resolution 10-09, Levying Special Assessments for Northridge Subdivision. Councilor Anderson seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 10-09

RESOLUTION LEVYING SPECIAL ASSESSMENTS IN STREET
IMPROVEMENT DISTRICT NO. 181, WATER EXTENSION DISTRICT NO.
2009-1 AND SANITARY SEWER EXTENSION DISTRICT NO. 43 OF THE CITY
OF AURORA, NEBRASKA.

WHEREAS, published notice of a hearing regarding the levy of special assessments has been published as required by law and notice has been mailed to all owners of property within Street Improvement District No. 181, Water Extension District No. 2009-1 and Sanitary Sewer Extension District No. 43 concerning the levy of special assessments in said Districts by the City of Aurora, Nebraska, and

WHEREAS, a hearing has been conducted as provided by law relative to the levy of special assessments in said Districts proposed to be levied against the lots and parcels of ground on account of the construction of the improvements hereinbefore described; and

BE IT RESOLVED that the special assessments as shown on the attached Exhibit A, are adjusted as follows:

(List of Adjustments Attached on Exhibit "B")

BE IT FURTHER RESOLVED, that said assessments (as adjusted) against said lots, parts of lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements and not in excess of such benefits or of the cost of the improvements and are hereby levied; and

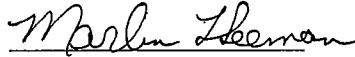
BE IT FURTHER RESOLVED, that all special assessments above provided for shall become due in fifty (50) days after the date of the passage of this Resolution and may be paid within that time without interest, but if not so paid, to bear interest thereafter at the rate of five and one half percent (5.5%) per annum from the date of the passage of this resolution until delinquent; such special assessments shall become delinquent as follows:

August 11, 2010	one fifteenth
June 22, 2011	one fifteenth
June 22, 2012	one fifteenth
June 22, 2013	one fifteenth
June 22, 2014	one fifteenth
June 22, 2015	one fifteenth
June 22, 2016	one fifteenth
June 22, 2017	one fifteenth
June 22, 2018	one fifteenth
June 22, 2019	one fifteenth
June 22, 2020	one fifteenth
June 22, 2021	one fifteenth
June 22, 2022	one fifteenth
June 22, 2023	one fifteenth
June 22, 2024	one fifteenth

Delinquent specials shall bear interest at the rate provided by law until paid and shall be collected in the usual manner for the collection of taxes. Installments may be prepaid at any time at the option of the property owner as provided by law.


AND BE IT FURTHER RESOLVED, that a certified copy of this Resolution and the said schedule of special assessments shall be filed in the office of the Clerk of Hamilton County, Nebraska, and in the office of the Treasurer of Hamilton County, Nebraska, for recording on the proper tax lists, all as provided by law.

PASSED this 22nd day of June, 2010.



Mayor

ATTEST:



City Clerk



City Attorney Luzum read Ordinance No. 950: AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AURORA, PENAL PROVISIONS §§3-801, 4-401, 5-401, 6-401, 7-301, 8-401, 9-501, and 10-1001, WHICH WILL INCREASE THE PERMISSIBLE FINE AMOUNT FOR CITY CODE VIOLATIONS TO \$500.00 PURSUANT TO STATE LAW; AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Councilor Phillips moved to bring Ordinance No. 950 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Ramsour seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Ramsour and Anderson. Nay: None. Absent and not voting: Roblee. The motion having been concurred in by three fourths majority of all members elected to the Council passed and said statutory three reading rule was suspended.

Councilor Ramsour moved for final adoption of Ordinance No. 950. Councilor Shaneyfelt seconded the motion. The Mayor stated the question, "Shall Ordinance No. 950 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Phillips, Shaneyfelt, Ramsour, Anderson and Helzer. Nay: None. Absent and not voting: Roblee.

The passage and adoption of said Ordinance having been concurred in by a majority of all members elected to the Council was by the Council President declared passed and adopted and the Council President in the presence of the Council signed and approved said Ordinance and the Clerk attested the passage and approval of same and affixed her signature thereto. Said Ordinance shall be preserved and kept in a separate and distinct volume known as the Ordinance of the City of Aurora, Nebraska and same be incorporated herein by reference.

Jeff Ahl of JEO Consulting presented the plans and specifications for the Cole Park Restroom Facility. He also reviewed the bid specs. Councilor Ramsour moved to approve the plans and specifications for the Cole Park Restroom Facility and authorize advertising for bids. Councilor Helzer seconded the motion. Voting Aye: Shaneyfelt, Ramsour, Anderson, Helzer and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried.

Jim Koepke of AACD presented a request from AACD for a \$1,000 donation to the Community Fireworks Project. Councilor Ramsour moved to approve the request from AACD for a \$1,000 donation to the Community Fireworks Project. Councilor Anderson seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried.

MISCELLANEOUS:

ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 7:49 p.m.

Marlin Seeman

Mayor

ATTEST:

Barbra Mikkelsen

City Clerk

